

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
CABARRUS COUNTY, NORTH CAROLINA
16CV-000812

TIMOTHY H. CHAPMAN, as
Administrator of the Estate of
ALMA P. CHAPMAN

Plaintiff

v.

SSC CONCORD OPERATING
COMPANY LLC (dba "Brian Center
Health & Retirement/Cabarrus"), a
Delaware Limited Liability Company;
and JONATHAN D. RICHARD)
(a/k/a "J. Drew Richard"), Individual

Defendants

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBERG

PERSONALLY APPEARED BEFORE ME, the undersigned notary public in and for the state and county aforesaid, the within named **JONATHAN DREW RICHARD** who, on his oath, stated as follows:

1. My name is J. Drew Richard, and I have personal knowledge of the facts stated herein. I am the proper person to sign this Affidavit. I am an adult over twenty-one years of age and of sound mind. The information contained in this Affidavit is based on my personal knowledge acquired as the Facility's Administrator, or upon review of documents and/or records prepared and maintained by the Facility in the ordinary course of business. If called as witness, I would testify as follows:

2. From September 2012 until June 2014, I was employed by SSC Concord

Operating Company LLC as the Administrator of the nursing-home known doing business as “Brian Center Health & Retirement/Cabarrus” (hereinafter referred to as the “Facility”).

3. I am licensed in the state of North Carolina to be an Nursing Home Administrator pursuant to N.C. Gen. Stat. Ann. § 90-278. At no time from September 2012 until the present was I ever licensed to provide medical or custodial care to any person. At no time from September 2012 until June 2014 did I ever provide any medical or custodial care to any person.

4. I have never provided any medical or custodial care to Ms. Alma Chapman.

5. According to the subject complaint, Ms. Chapman was admitted to the Facility on March 22, 2014. I had no involvement in her admission process.

6. I am not now, nor have I ever been, a licensed nurse, CNA, or clinician.

7. As the Facility’s Administrator, I was not licensed to render medical or custodial care and treatment, nor did I ever render medical or custodial care and treatment to Ms. Alma Chapman or any other resident.

8. My role as the Facility’s Administrator was limited to overseeing and managing the day-to-day administrative functioning of the nursing home. I did not provide, nor was I allowed to provide, any direct medical or custodial care, nor was I allowed to make clinical or health care decisions at any time that I was Administrator of the Facility.

9. In my role as the Facility’s Administrator I was not responsible for the day to day decisions concerning nursing or custodial care staffing.

10. I never individually or in my capacity as Administrator exacerbated or in any way worsened Ms. Chapman’s mental or physical condition; or did anything to cause her death. I have no knowledge that any member of the Facility’s staff (or anyone else) ever intentionally engaged in any of the foregoing conduct, as alleged in Plaintiffs’ Complaint. Nor are these

activities or tasks in which I ever could have participated. The incidents of harm alleged by Plaintiffs all purportedly involved the provision of medical and/or custodial care and treatment to Ms. Chapman, in which I had no involvement whatsoever.

11. I have never had any "Residents" as that term is used in the Complaint.

12. All individuals who worked at the facility, including myself, were employees of SSC Concord Operating Company LLC.

13. Plaintiff's Complaint alleges that the "Defendants" knew that there were "systemic staffing problems at Facility" and "systemic problems within the facility relating to resident care." These allegations are false.

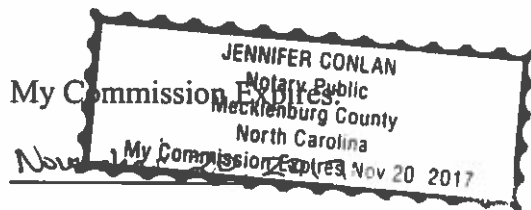
I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information and belief.

FURTHER AFFIANT SAITH NOT.


JONATHAN DREW RICHARD

SWORN TO AND SUBSCRIBED TO BEFORE ME, this the 20th day of April, 2016.


Notary Public



(SEAL)